

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 24-1344-CBM-SKx

Date June 20, 2024

Title *Great Bowery Inc. d/b/a Trunk Archive v. Deluxe Beaute Beverly Medical Spa d/b/a Deluxe Cosmetic Center et al.*

Present: The Honorable CONSUELO B. MARSHALL, UNITED STATES DISTRICT JUDGE

YOLANDA SKIPPER
Deputy Clerk

NOT REPORTED
Court Reporter

Attorneys Present for Plaintiff:
NONE PRESENT

Attorneys Present for Defendants:
NONE PRESENT

Proceedings: IN CHAMBERS- ORDER RE: SETTLEMENT AND DISMISSAL

This is a copyright infringement action brought by Plaintiff Great Bowery Inc. d/b/a Trunk Archive against Defendants Deluxe Beaute Beverly Medical Spa d/b/a Deluxe Cosmetic Center, Cheryl Chen, Kevin Do, Tiffany Ho, and Does 1 through 10. (Dkt. No. 1.)

On May 31, 2024, Plaintiff filed a notice of settlement as to Defendants Deluxe Beaute Beverly Medical Spa d/b/a Deluxe Cosmetic Center, Cheryl Chen, and Kevin Do. (Dkt. No. 25.) On June 3, 2024, Plaintiff and Defendant Tiffany Ho filed a joint notice of settlement as to Defendant Ho. (Dkt. No. 26.) In light of the notices of settlement filed, the Court ordered the parties to file a stipulation or order re: dismissal no later than July 5, 2024. (Dkt. No. 28.)

On June 4, 2024, Plaintiff filed a stipulation to dismiss Defendant Ho. (Dkt. No. 27.)

On June 17, 2024, Plaintiff filed a document titled "Notice of Voluntary Dismissal with Prejudice Pursuant to F.R.C.P. 41(a)(1)A(i) as to Defendants Deluxe Beaute Beverly Medical Spa, a professional corporation d/b/a Deluxe Cosmetic Center; Cheryl Chen, individually, Kevin Do, individually; and Does 1 through 10, inclusive." (Dkt. No. 30.) On June 19, 2024, Plaintiff filed a second document titled Notice of Voluntary Dismissal with Prejudice Pursuant to F.R.C.P. 41(a)(1)A(i) as to Defendants Deluxe Beaute Beverly Medical Spa, a professional corporation d/b/a Deluxe Cosmetic Center; Cheryl Chen, individually, Kevin Do, individually; and Does 1 through 10, inclusive." (Dkt. No. 32.) While the caption of the notices of dismissal names Defendants Deluxe Beaute Beverly Medical Spa d/b/a Deluxe Cosmetic Center, Cheryl Chen, and Kevin Do, the body of the notices state

Plaintiff “gives notice that the above-captioned action is voluntarily dismissed against Defendants Cheryl Chen, individually; Kevin Do, individually; and DOES 1 through 10, inclusive with prejudice.” (*See id.*) Therefore, it is unclear whether Defendant Deluxe Beaute Beverly Medical Spa d/b/a Deluxe Cosmetic Center has been voluntarily dismissed by Plaintiff and whether this action has been voluntarily dismissed by Plaintiff in its entirety.

Accordingly, Plaintiff shall file a notice or stipulation **no later than July 5, 2024** regarding whether Plaintiff voluntarily dismisses Defendant Deluxe Beaute Beverly Medical Spa d/b/a Deluxe Cosmetic Center and whether this action is voluntarily dismissed in its entirety.

IT IS SO ORDERED.